

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

FARAHE PAUL MALOOF, A/K/A F. PAUL MALOOF, SP 2015-DR-114 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit a reduction in certain yard requirements to permit construction of an addition 11.8 ft. from a side lot line. Located at 1506 Dewberry Ct., McLean, 22101, on approx. 21,365 sq. ft. of land zoned R-3. Dranesville District. Tax Map 30-3 ((9)) 97. Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on December 2, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
3. This is a relatively modest request to enclose an existing carport, while retaining the same footprint and roof line.
4. The impacts on the surrounding area would be minimal. The enclosure of a carport helps hide the items that are stored in it, and would be an improvement in the appearance of it.
5. On the record before the Board, with the structure simply being an enclosure of an existing carport, the Board does not think it will negatively affect surrounding properties.
6. The applicant has read, understands, and concurs with the proposed development conditions, including the changes made at this hearing.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the enclosed carport addition (654 square feet and 11 feet in height), as shown on the plat entitled "Plat Showing the Improvements On Lot 97, Section Two," prepared by George M. O'Quinn, on April 27, 2015, as revised on November 10, 2015, as submitted with this application and is not transferable to other land.
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,714 square feet existing + 4,071 square feet (150%) = 6,785 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard shall be permitted without an amendment to this special permit.
4. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions. However, notwithstanding the renderings on Attachment 1, the rear and side walls of the carport shall be enclosed with vinyl siding, and the front wall of the carport will also be enclosed with retractable garage doors.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Ms. Theodore seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:

Lorraine A. Giovinazzo

Lorraine A. Giovinazzo
Clerk to the Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 9th day of
December, 2015.

Rachael A. Locke

Notary Public

My commission expires: 6/30/2019



